

POLICY TITLE:	Investigations		
  CHILD AND FAMILY SERVICES AGENCY			
Approved By:	Date Approved:	Original Effective Date:	Last Revision:
Brenda Donald - Director	April 24, 2020	April 28, 2011	April 20, 2020

I. AUTHORITY	<p>The Director of the Child and Family Services Agency (CFSA) adopts this policy to be consistent with the Agency's mission and all applicable federal and District of Columbia laws, rules, and regulations, including but not limited to the federal Child Abuse and Prevention Treatment Act (CAPTA) of 1974 and its implementing regulations, the Fostering Connections to Success and Increasing Adoptions Act of 2008, Titles 4 and 16 of the DC Code, provisions in Title 29 of the DC Municipal Regulations (DCMR), and the Modified Final Order and the Exit and Sustainability Plan (ESP) in <i>LaShawn A. v. Bowser</i>.</p>
II. APPLICABILITY	<p>All CFSA Entry Services and Child Protective Services (CPS) investigations staff and contracted investigations personnel.</p>
III. RATIONALE	<p>The Child and Family Services Agency (CFSA) is committed to promoting the safety, well-being, and permanency of children and families in the District of Columbia. To this end, the Entry Services Administration staff, including Child Protective Services (CPS) staff, are the first line of intervention to ensure the safety and protection of children who are alleged to have been maltreated (abused or neglected). To prevent a home removal, when there is an indication that the child(ren) can remain safely in the home, community services may be provided to address the presenting and underlying issues that led to the initial maltreatment allegations. CFSA further provides services to reduce the risk of future maltreatment. All investigative procedures require detailed and consistent compliance with federal and District laws, regulations and best practice.</p>
IV. POLICY	<p>It is the policy of CFSA that all accepted Hotline reports of alleged child maltreatment shall be investigated in a timely fashion that ensures child safety and well-being.</p> <p>The initial phase of an investigation shall be completed within 24 hours. The initial phase includes seeing and interviewing all children living in the home outside of the presence of their caretakers and an assessment of safety and risk to not only the alleged child victim, but also all children residing in the home.</p> <p>Investigations and assessments shall be in compliance with best practice standards, including the investigative tasks of contacting and interviewing all individuals related to the investigation, including collateral and core contacts, within the mandated timeframes, and completing formal and informal assessments prior to investigation closure.</p> <p>The investigation shall conclude no later than 30 days after the acceptance of the report at the hotline, and a <i>Letter of Notification of Disposition</i> shall be sent to the individuals identified as a maltreater at the time of closure.</p>

	<p>Specific details on investigative procedures and functions are outlined in the Investigations Procedural Operations Manual (IPOM).</p> <p><i>Note: for purposes of this policy, the term “child” shall be understood to include infants and youth (individuals under the age of 18). The term “caregiver” shall be understood to include parent, guardian, or legal custodian (as applicable).</i></p>
V. CONTENTS	<ul style="list-style-type: none"> A. General Considerations for Investigations B. Assessments C. Specialty Reports D. Removal and Placement E. Disposition Decision F. Documentation G. Supervisory Oversight
VI. ATTACHMENTS	<ul style="list-style-type: none"> A. Definitions B. Intervention Plan
VII. SECTIONS	<p>Section A: General Considerations for Investigations</p> <ol style="list-style-type: none"> 1. The investigations supervisor shall review all Hotline reports and make assignments within 2 hours to ensure child safety and well-being. 2. When an investigations supervisor assigns an investigative social worker to an active In-Home case within CFSA, the investigative social worker (or supervisor) shall immediately contact the ongoing social worker and supervisor to obtain background information regarding the case. 3. The investigative social worker shall initiate the investigation immediately (within 2 hours) of the hotline report if there is an indication that the child’s safety or health is in immediate danger and as soon as possible but no later than 24 hours if the child is not deemed to be in immediate danger. 4. The initial phase of the investigation shall include seeing and interviewing the alleged victim child(ren) and all children living in the home outside the presence of their caretakers. If unable to timely do so, good faith efforts shall be made and documented with an explanation in FACES.net within the next 24 hours; thus no later than 48 hours after the hotline report. 5. “Good faith” efforts to see the child shall include: <ol style="list-style-type: none"> a. Visiting the child’s home at different times of the day. b. Visiting the child’s school and/or day care (if applicable and known) to locate the child. c. Contacting the reporter, if known, to elicit additional information about the child’s location. d. Reviewing FACES and other information systems, as appropriate, for example the District Access System (DCAS) or the QuickBase database for educational information, for additional information about the child and family. e. Contacting the police for allegations that a child’s safety or health is in immediate danger, to be determined on a case-by-case basis.

	<p>6. The initial home visit should be unannounced.</p> <p>7. Investigations shall be conducted in a manner, which is appropriate to and respectful of the culture and primary language of the client.</p> <p>8. The investigative social worker shall obtain an interpreter or translation services while conducting an investigation if the family needs language assistance (<i>please refer to CFSA's policy on Language Access Services</i>).</p> <ul style="list-style-type: none"> • The investigative social worker shall never use children, family members, friends, or neighbors for interpreting in CPS investigations. <p>9. The investigative social worker shall comply with all confidentiality guidelines as set forth in the Confidentiality Policy.</p> <p>10. Investigative social workers must be culturally sensitive and recognize that family structures may vary according to diverse ethnicities and family choice.</p> <p>11. The following information must be gathered and documented as part of the investigation:</p> <ol style="list-style-type: none"> a. The nature, extent, and cause of the abuse or neglect b. The identity of the alleged perpetrator c. The name, age, sex, and condition of the alleged child victim and all other children in the home d. The conditions of the home at the time of the investigation e. Risk factors for all other children in the home f. Supporting documents such as school reports and medical records g. Family members and support systems, including relatives who can serve as placement options h. Whether any or all children need to be removed from the home to protect their safety and well-being. <p>12. The investigative social worker shall conduct interviews with the five core contacts, i.e., the victim child, the alleged maltreater, the reporting source (when known), the non-offending caregiver(s), and the collaterals, specifically medical and educational resources.</p> <ul style="list-style-type: none"> • If the investigative social worker has been unable to successfully make contact to interview any of the five core contacts, s/he shall consult with the assigned supervisor and document the circumstances in FACES.net. <p>13. The investigative social worker shall interview all non-victim children in the household, and assess their safety, and well-being, including educational and medical status.</p> <p>14. The investigative social worker shall conduct interviews with collateral witnesses who may have information relevant to the allegations, including, for example, law enforcement, other adults in the home, relatives, or neighbors.</p>
--	---

	<p>15. The investigative social worker shall contact the Hotline if credible evidence arises that indicates unreported abuse or neglect allegations are taking place or have taken place among other families that are living in the same household currently under investigation.</p> <p>16. The investigative social worker shall complete the following steps prior to closure of an investigation when transferring cases:</p> <ol style="list-style-type: none"> a. Consult with the investigations supervisor and request a transfer of the investigative case for ongoing case management when ongoing CFSA services and/or further assessment are required. b. A transfer staffing shall occur within 1 business day of assignment to an ongoing social worker to ensure continuity of services as well as the sharing of information between the investigative social worker, the assigned ongoing worker, and other staff as necessary. <p>17. Investigations shall not be closed solely based on the investigative social worker's inability to locate the child or family.</p> <ol style="list-style-type: none"> a. If a child or family cannot be located or a family refuses to cooperate, the investigative social worker must complete the following actions, if applicable, concurrently with a sense of urgency to thoroughly exhaust all avenues for locating the child and family: <ol style="list-style-type: none"> i. A minimum of 2 unannounced home visits at different times with at least one visit between the hours of 8:00 PM and 8:00 AM. ii. Visit to the child(ren)'s neighborhood school or identified school if enrollment is known. Efforts should also be made to reach the emergency contact person on file with the school. iii. Contact with the reporter to obtain additional information on locating the child and family. iv. Search of the following databases/contacts: <ol style="list-style-type: none"> a) DC Superior Court (https://www.dccourts.gov/cco/maincase.jsf) b) Landlord c) Property Records v. A referral to the Diligent Search Unit within 1 week of receipt of the report if family has not responded and follow-up on the results of the diligent search vi. Mail a certified letter, in a family's primary language, to the last known address, report address, or address listed in DCAS. vii. Contact with MPD to check their database for any involvement with the family or address and to request assistance in gaining access to the family (when allegations warrant and there has been involvement with the family). viii. Interview neighbors, relatives, and other collateral resources. b. If the investigative social worker is unable to locate any child determined to be in immediate danger or to be suffering from an illness or injury, the social worker shall immediately consult with the investigations supervisor to determine whether an affidavit and pre-petition custody order should be submitted.
--	--

Section B: Assessments

1. The investigative social worker shall review FACES.net for prior history with CFSA and consider the circumstances of any prior history in the assessment.
2. The investigative social worker shall assess children and families for safety (imminent danger) and for risk (the likelihood of future abuse or neglect), as well as for family strengths and service needs.
3. The initial Structured Decision Making® (SDM) Danger and Safety Assessment shall be completed and documented on the FACES.net Danger and Safety Assessment screen within 24 hours of the receipt of the report, even if no contact has been established. The Danger and Safety Assessment should be updated within 24 hours of assessing the safety of the child(ren).
4. Although risk can (and should) be assessed throughout the investigation as circumstances warrant, the SDM Risk Assessment must be completed and documented in FACES.net within the 30-days of initiation of the investigation.
5. The investigative social worker shall continue to assess for safety and risk throughout the investigation process, documenting any changes or new concerns in FACES.net.
6. The investigative social worker shall assess the family to determine which specific referrals for services may be needed to protect the safety and well-being of the children and the stability of the family.
 - a. Every family with an open investigation shall be offered services that address immediate needs, including but not limited to assistance in obtaining clothing or food and medical or mental health evaluations.
 - b. The investigative social worker shall make every effort possible to initiate referrals for supportive services within the 30-day investigation time frame, including referrals to the Healthy Families/Thriving Communities (HFTC) Collaboratives and EBPs through FACES.net.
7. Each child in the household who is under the age of 3 must be referred to the Office of the State Superintendent of Education (OSSE) for a 0-3 developmental screening. For more information, see the [Early Intervention Child Development Screening Process](#) administrative issuance.
8. If concerns arise related to the developmental or educational performance of a child between the ages of 3 through 5, the investigative social worker shall make a referral to OSSE for developmental screening and services upon parental consent.
9. School aged children are generally evaluated in school. The investigative social worker shall consult with the school if there are concerns about developmental and/or educational needs.

Section C: Specialty Reports

1. **Child Fatalities:** Reports of child fatalities or “near fatalities” or serious bodily injury resulting from child abuse and/or neglect or caused by any means while a child is under CFSA care and custody shall be investigated in collaboration with the Metropolitan Police Department (MPD) Special Victims Unit (SVU). See the [Child Fatality](#) and [Critical Events](#) policies for further information.
2. **Diplomatic Immunity:** The investigative social worker shall immediately notify the Office of the General Counsel (OGC) when reports of maltreatment, in which the alleged perpetrator has diplomatic immunity, are received. The investigation must cease until further instructions are given by the OGC.
 - If there are calls indicating an imminent injury or risk of the child’s life, the MPD should be notified, informed of the (potential) diplomatic status, and a CPS investigation should begin. The OGC should be immediately notified by the Investigations supervisor who shall also immediately notify the United States Department of State’s Office of Foreign Missions to inform them of CFSA CPS and MPD involvement.
3. **Commercial Sexual Exploitation/Sex Trafficking (CSEC):** All CSEC reports shall be investigated jointly with Youth and Family Services Division (YFSD) of the MPD.
4. **Military:** If investigations involve military personnel within the District, the investigative social worker shall conduct an investigation in collaboration with the military’s Family Advocacy Program and base personnel.
5. **Persons of Special Interest:** Investigations related to persons of “special interest”, including CFSA and private agency employees, and District employees or officials, shall be assigned to an investigative unit with management oversight to avoid a conflict of interest. [FACES.net](#) access to all information related to the investigation shall be restricted and only the identified CPS staff shall have access to the investigation. The OGC should be contacted if further guidance is needed.
6. **Institutional Investigations:** All reports that allege abuse and/or neglect in a resource (foster) home, congregate care facility; residential treatment facility, boarding and day schools (not DC public schools), daycare, child care, or before/aftercare facility licensed by the Office of the State Superintendent of Education (OSSE); and juvenile detention facilities operated by the DC Department of Youth Rehabilitative Services (DYRS) shall be investigated by the CFSA Institutional Investigations unit.
7. **Educational Neglect Investigations:** Screened-in reports of educational neglect shall be investigated by CFSA’s Educational Neglect Unit to determine interventions and develop a family plan to address chronic absenteeism and other underlying issues.

	<p>8. Fetal Alcohol Syndrome Disorder (FASD) and Positive Toxicology: All investigations involving positive toxicology and/or FASD newborns and the affected caregiver shall include a plan of safe care/intervention plan (see attachment B) that includes substance use treatment information.</p> <ol style="list-style-type: none"> a. The plan of safe care/intervention plan shall be developed jointly with the caregiver and includes goals for the family to address health and substance use, referrals being submitted for the family, and responsible persons. b. The plan of safe care/intervention plan in FACES.net Contact under “Intervention Plan”. <p>9. Child 13 years of age or younger with 3rd juvenile delinquency petition: Reports concerning a child, 13 years old or younger, who has had a third juvenile delinquency petition shall be assigned for a CPS investigation concerning the child’s care by their parent, guardian or custodian.</p>
	<p>Section D: Removal and Placement</p> <ol style="list-style-type: none"> 1. The investigative social worker shall make reasonable efforts to prevent removal and to safely protect the child’s ability to remain in their own home, including developing a safety plan that incorporates a broad range of safety-oriented responses and initiating an at-risk family team meeting (FTM). 2. Removal decisions shall be made when the investigative social worker has reasonable grounds to believe that the child is in immediate danger and/or suffers from illness or injury or is otherwise endangered such that removal is necessary. See the Placement and Matching policy for further information. <ul style="list-style-type: none"> • All removal decisions shall be made in consultation with the investigative supervisor and program manager. 3. When removal is necessary, the caregivers shall be provided (either in person or delivered to the place of residence) a written Notice to Appear in Family Court that has been signed by the investigative social worker. 4. A Removal RED team meeting shall be led by CPS or Permanency Administration staff on a rotating basis and held within 24 hours or the next business day after a child is removed from home. The meeting enables the investigative, placement, permanency, OWB, and kinship unit staff, as well as involved health or legal professionals, to: <ol style="list-style-type: none"> a. Review kin placement options (kin is the first choice for placement) b. Share information that will facilitate a smooth transition for the child including school placement and involvement in any extra-curricular activities c. Plan for sibling and parent visitation d. Begin to outline the specific action steps that will support reunification

	<ol style="list-style-type: none"> 5. For every child who is removed, a complaint form must be completed in FACES.net within 24 hours of the removal decision being approved by management. 6. A Removal Family Team Meeting (FTM) shall be coordinated by FTM staff and must be convened within 72 hours of the removal. <ol style="list-style-type: none"> a. The Removal FTM shall be used to: <ol style="list-style-type: none"> i. Further introduce the family to the Agency ii. Clarify the reasons for removal iii. Continue to engage and explore kin placement options iv. Initiate discussion about visitation v. Begin developing a plan for securing the resources and interventions that will support reunification b. Removal FTMs shall include: <ol style="list-style-type: none"> i. Family members and their identified supporters (e.g. friends, clergy, and caregivers) ii. Resource parents iii. Service providers iv. Guardian ad litem (GAL) 7. Immediately, but not later than 30 days of the removal, the investigative social worker and/or ongoing social worker shall use reasonable efforts to locate any absentee parents (including all parents of a sibling of the child, where such parent has legal custody of such sibling), other legal caregivers, maternal and paternal grandparents, other adult relatives (such as aunts or uncles), and/or nonrelated individuals who may have a close, important relationship to the child. <ul style="list-style-type: none"> • The above-cited individuals shall be notified of the removal, strongly encouraged to attend all court hearings and team meetings, and notified of the opportunity and right to be considered as placement resources for the child.
	<p>Section E: Disposition Decision</p> <ol style="list-style-type: none"> 1. At the conclusion of an investigation, the investigative social worker shall determine whether the maltreatment has occurred for each allegation and victim. The following assessment findings are indicated for each allegation: <ol style="list-style-type: none"> a. substantiated – an allegation must be substantiated if there is evidence to believe it occurred. The D.C. Official Code § 4-1301.02(19A) defines a substantiated report as a “report made which is supported by credible evidence and is not against the weight of the evidence b. unfounded - an allegation shall be unfounded if there is insufficient credible evidence to believe that abuse or neglect has occurred. D.C. Official Code § 4-1301.02(20A) defines an unfounded report as a report that “is made maliciously or in bad faith or which has no basis in fact.”

	<p>c. inconclusive - an allegation shall be determined to be inconclusive if there is insufficient credible evidence to substantiate, however, there is some or conflicting information to indicate that the abuse or neglect may have occurred. An inconclusive report is a report that “cannot be proven to be either substantiated or unfounded.” D.C. Official Code § 4-1301.02(13A).</p> <p><i>Note: Credible Evidence means any evidence that indicates that a child is an abused or neglected child, including the statement of any person worthy of belief. D.C. Code § 4-1301.02</i></p> <ol style="list-style-type: none"> 2. Within 7 calendar days of the disposition decision, the investigative social worker shall send a <i>Letter of Notification of Disposition</i> along with a Right to a Fair Hearing Form to individuals identified as a maltreater. 3. The investigative social worker shall send a notification of case transfer of the substantiated, high and intensive risk investigative cases, to the In-Home Services or Permanency administrations, within 30 days of the initiation of the CPS investigations. 4. If the investigative social worker determines that the family requires only short-term intervention due to an adequate support system and no safety concerns, appropriate referrals for supportive services and interventions, including referrals the Collaboratives and EBPs, shall be made prior to closure of the investigative case. The investigative social worker shall ensure that the referrals were received by the service resource and that there has been outreach to the family. 5. Only substantiated, low and moderate risk, or unfounded, high and intensive risk reports shall be referred for supportive services.
	<p>Procedure F: Documentation</p> <p>All investigation activities shall be documented in FACES within 24 hours of the occurrence.</p>
	<p>Procedure G: Supervisory Oversight</p> <ol style="list-style-type: none"> 1. The Child and Family Services Agency is committed to a teaming relationship between front line workers and their supervisors and managers. This level of partnering secures the advantageous productivity and positive outcomes that are expected of every CPS investigation. 2. The investigation supervisor shall be held accountable for the following activities: <ol style="list-style-type: none"> a. Weekly individual supervision, documented in FACES, and weekly review of case data. b. Completion of the following tasks within 48 hours of receipt of a Hotline report: <ol style="list-style-type: none"> i. Consultation with the investigative social worker over all child interviews ii. Planning for future interviews with all persons associated with the investigation

	<ul style="list-style-type: none">iii. Determination regarding additional records or evaluations to complete the investigationiv. Review of FACES contact notes, documentation and initial approval of safety assessmentv. FACES entry of supervision notes and further directives <p>c. Approval of all investigation closures.</p>
--	--

DEFINITIONS

Abuse and Neglect

See DC Code §16-2301 for a complete description of the law.

Abused Child

The term “abused” - when used with reference to a child - means

- a. infliction of physical or mental injury upon a child
- b. sexual abuse or exploitation of a child
- c. negligent treatment or maltreatment of a child

The term “abuse” does not include discipline administered by a parent, guardian, or custodian to his or her child, provided that the discipline is reasonable in manner and moderate in degree and otherwise does not constitute cruelty.

“*Sexual Abuse*” means

- a. engaging in, or attempting to engage in, a sexual act or sexual contact with a child;
- b. causing or attempting to cause of child to engage in sexually explicit conduct; or
- c. exposing a child to sexually explicit conduct.

“*Intra-Familial Abuse*” is defined by CFSA as the abuse of a child committed by a parent, guardian or custodian who is related to the child by blood, legal custody or marriage and who has assumed parental responsibilities or obligations for the child.

Neglected Child

A “neglected child” means a child

- a. who has been abandoned or abused by his or her parent, guardian, or custodian, or whose parent-, guardian, or custodian has failed to make reasonable efforts to prevent the infliction of abuse upon the child. For the purposes of this sub-subparagraph, the term "reasonable efforts" includes filing a petition for a civil protection order; or
- b. who is without proper parental care or control, subsistence, or education as required by law, or other care or control, necessary for his or her physical, mental or emotional health, and the deprivation is not due to the lack of financial means of his or her parent, guardian, or other custodian; or
- c. whose parent, guardian, or other custodian is unable to discharge his or her responsibilities to and for the child because of incarceration, hospitalization, or other physical or mental incapacity; or
- d. whose parent, guardian, or custodian refuses or is unable to assume the responsibility for the child's care, control, or subsistence and the person or institution which is providing for the child states an intention to discontinue such care; or
- e. who is in imminent danger of being abused and another child living in the same household or under the care of the same parent, guardian, or custodian has been abused; or
- f. who has received negligent treatment or maltreatment from his or her parent, guardian, or custodian; or
- g. who resided in a hospital located in the District of Columbia for at least 10 calendar days following the birth of the child, despite a medical determination that the child is ready for discharge from the hospital, and the parent, guardian, or custodian of the child has not taken any action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child; or
- h. who is born addicted or dependent on a controlled substance or has a significant presence of a controlled substance in his or her system at birth; or
- i. in whose body there is a controlled substance as a direct and foreseeable consequence of the acts or omissions of the child's parent, guardian, or custodian; or
- j. who is regularly exposed to illegal drug-related activity in the home.

A child is not legally defined as a neglected child when the child's deprivation of parental care and control is due to a lack of financial means.

No child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly-accredited practitioner thereof shall for that reason alone be considered a neglected child.

Community Papering

A means to request court involvement where there is no immediate danger and an emergency removal has not taken place.

Institutional Abuse

Maltreatment of a child in any of the following facilities located in the District of Columbia:

- a. Foster homes
- b. Congregate care facilities
- c. Residential hospital facilities
- d. Emergency care facilities, including runaway shelters and youth shelters
- e. Boarding and traditional day schools (excepting DC public schools)
- f. Licensed daycare facilities or homes
- g. Juvenile detention facilities under the jurisdiction of the District of Columbia's Department of Youth Rehabilitation Services located in the District and Maryland.

Investigation

The investigation is the process to determine whether a child is an abused/neglected child. Its purpose is to determine if there is harm to a child, reduce the risk of harm and increase the safety of the child while simultaneously determining the need for services to support family stabilization.

Maltreatment

Used as a substitute for "abuse and/or neglect".

Persons of Special Interest

These include but are not limited to elected or appointed government officials, MPD officers (including officers in the Youth and Family Services Division (YFSD)), CFSA and private agency employees (including their relatives), as well as vendors and other CFSA-contracted employees, and/or a high-profile incident being tracked by the media. The Director or administrator can also designate persons other than those identified above as "persons of special interest". CFSA may restrict access to FACES.net for Hotline reports, investigations, and cases involving persons of special interest.

Report

Communication to the Hotline, either by telephone, walk-in, or other forms of written or electronic communication that alleges child maltreatment.

Response Times

24-Hour Response Time: The "24-hour response" time is assigned to a report when there is no immediate danger or imminent risk of abuse or neglect. This response time may also be designated if there is reason to conclude that physical evidence to substantiate an abuse event will be available after the end of a 24-hour investigative response.

Immediate Response Time: Assigned when a report of suspected abuse or neglect is received that indicates the child's health or safety is in immediate danger, i.e., there is a dangerous situation that can be viewed as an emergency requiring an immediate response.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency



INTERVENTION PLAN

Children in your care:

The identified concern(s):

The plan you created in conjunction with CFSA to address this concern is:

I understand referrals for services will be completed, as indicated below, on behalf of my family to provide support and ensure the well-being of my family.

Referrals	Yes/No
Nurse	
0-3 Early Intervention	
Mental Health	
APRA (substance use)	
Family Team Meeting	
Project Connect	
Case management support (In-home, Collaborative, other)	
Mobile Stabilization Services (MSS)	
DV Services	

The plan will begin: _____

The plan will be completed: _____

Who is responsible: _____

I understand that this intervention plan does not give anyone legal custody of the child and any person may seek to obtain legal custody in the Domestic Relations Branch of the D.C. Superior Court. Obtaining legal custody is not a requirement of this intervention plan

Signed:

Parent/Caregiver Date

Parent/Caregiver Date

CFSA Social Worker Date